

BOARD OF PAROLE HEARINGS
Executive Board Meeting
http://www.cdcr.ca.gov/BOPH/meeting_agenda.html
Monday, August 19, 2013
OPEN SESSION
(All times are approximate and subject to change.)

1515 K Street
Executive Board Meeting Room
Suite 550
Sacramento, California 95814

NOTE START TIME: **1:00 p.m.**

AGENDA

MEETING CALLED TO ORDER

CONSENT CALENDAR

1. Roll Call
2. Comments and Clarification regarding Board of Parole Hearings (BPH) Meeting Minutes: July 15 and 16, 2013
3. Parole Suitability Hearings and Backlog Report
4. Public Comment on Consent Calendar – Comments are limited to five minutes. Items on the consent calendar are considered routine and non-controversial. All matters are approved by one motion unless pulled by a Board Member for discussion or separate action.

REPORTS AND PRESENTATIONS

5. Report from Executive Officer
 - Review of Attorney Appointment Process
 - Dates for Inmate Counsel Training: October 16, 2013 (northern CA)
October 18, 2013 (southern CA)
6. Report from Chief Counsel
 - Proposed Administrative Review of Three-Year Denials, Pursuant to Penal Code section 3041.5(b)(4)
 - Administrative Directives Regarding Waivers, Stipulations, and Postponements
7. Update from the Forensic Assessment Division by Dr. Cliff Kusaj, Chief Psychologist
 - Release of the Diagnostic & Statistical Manual of Mental Disorders, 5th Ed. (DSM-5)
 - Revised HCR-20: Assessing Risk for Violence, Version Three (HCR-20-V3)

OPEN COMMENTS

8. BPH Commissioners - Agenda Items for Future Meetings
9. Public Comment – Comments are limited to five minutes. The public may comment on any item related to Board business. The Board will not consider comments about future parole hearings. Those comments should be sent to the prison where the inmate is housed so that they can be considered by the panel assigned to the case.

MEETING RECESSED TO TUESDAY, August 20, 2013

**BOARD OF PAROLE HEARINGS
Executive Board Meeting
Monday, August 19, 2013
CLOSED SESSION**

(All times are approximate and subject to change.)

1515 K Street
Executive Board Meeting Room
Suite 550
Sacramento, California 95814

NOTE START TIME: **3:00 p.m.**

DISCUSSION

Overview of Pending Litigation and Writs of Habeas Corpus

Pursuant to Government Code section 11126(e)(1)

(A board may meet in closed session to confer with or receive advice from its legal counsel regarding pending litigation when discussion in open session concerning those matters would prejudice the position of the state body in the litigation.)

Discussion

1. *Coleman/Plata v. Brown*, Case No. 2:90-cv-00520 LKK JFM P (E.D. Cal.), presented by Jennifer Shaffer, Executive Officer, and Howard Moseley, Chief Counsel
2. *Gilman v. Brown*, Case No. 2:05-cv-00830 LKK, (E.D. Cal.), presented by Jennifer Shaffer, Executive Officer, and Howard Moseley, Chief Counsel

For disability related accommodations, please contact the BPH Americans with Disabilities Act Coordinator at (916) 445-4072, at least five (5) working days prior to the scheduled meeting. All persons and property entering into this facility may be subject to search. No unauthorized weapons are allowed pursuant to Penal Code Section 171b.

**BOARD OF PAROLE HEARINGS
Executive Board Meeting
Tuesday, August 20, 2013
CLOSED SESSION**

(All times are approximate and subject to change.)

1515 K Street
Executive Board Meeting Room
Suite 550
Sacramento, California 95814

NOTE START TIME: **9:00 a.m.**

DISCUSSION

Overview of Pending Litigation and Writs of Habeas Corpus

Pursuant to Government Code section 11126(e)(1)

(A board may meet in closed session to confer with or receive advice from its legal counsel regarding pending litigation when discussion in open session concerning those matters would prejudice the position of the state body in the litigation.)

Discussion

3. *Johnson v. Shaffer*, Case No. 2:12-cv-01059 GGH P (E.D. Cal.), presented by Howard Moseley, Chief Counsel

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OPEN SESSION**

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1515 K Street
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NOTE START TIME: **10:00 a.m.**

AGENDA

MEETING RECONVENED (Continued from Monday, August 19, 2013)

EN BANC REFERRALS

10. Referral pursuant to Penal Code section 1170(e) to determine eligibility for recommendation to sentencing court for recall of sentence. Members of the public may address the Board for a period not to exceed five (5) minutes.

A. DAVIS, MARVIN H-88451
County of Commitment:
Los Angeles County

B. MONDARES, STEVEN E-50259
County of Commitment:
Riverside County

11. Referral by the Governor to request review of a parole decision by the full board. Members of the public may address the Board for a period not to exceed five (5) minutes.

C. SOTO, CESAR D-40815
County of Commitment:
Los Angeles

12. Referral pursuant to Penal Code section 3041 to determine eligibility for parole following a tie vote.

D. KILGORE, ADRIANNE W-26663
County of Commitment:
Los Angeles

DISCUSSION ITEMS

13. a) Adoption of the Revised HCR-20: Assessing Risk for Violence, Version 3 (HCR-20-V3)
b) Board Questions and Comments
c) Public Comments
d) Motion and Votes

OPEN COMMENTS

14. BPH Commissioners - Agenda Items for Future Meetings

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15. Public Comment – Comments are limited to five minutes. The public may comment on any item related to Board business. The Board will not consider comments about future parole hearings. Those comments should be sent to the prison where the inmate is housed so that they can be considered by the panel assigned to the case.

The decision in the above hearings will be posted no later than 4 p.m. in the lobby on the ground floor of 1515 K Street and also on the BPH internet page at the following address:
www.cdcr.ca.gov/BOPH/enbanc.html.

CLOSED SESSION – EN BANC REFERRALS

Pursuant to Government Code section 11126(c)(4)

("...[N]or shall anything in this article be construed to prevent a state body from holding a closed session when considering and acting upon the determination of a term, parole, or release of any individual or other disposition of an individual case, or if public disclosure of the subjects under discussion nor consideration is expressly prohibited by statute.")

ADJOURNMENT

For disability related accommodations, please contact the BPH Americans with Disabilities Act Coordinator at (916) 445-4072, at least five (5) working days prior to the scheduled meeting. All persons and property entering into this facility may be subject to search. No unauthorized weapons are allowed pursuant to Penal Code Section 171b.